

## KILLING THE HEADHUNTERS

THE PHILIPPINE CONSTABULARY ENGAGE A BAND OF FILIPINO HEADHUNTERS IN NUEVA VISCAYA AND FIFTY-THREE OF THEM—TWO OF THE CONSTABULARY ARE KILLED.

Associated Press Cable to the Star.

MANILA, P. I., October 12.—The constabulary had a serious engagement with a band of headhunters in Nueva Viscaya. The headhunters made a desperate fight but were unable to withstand the onslaught of the constabulary. Fifty-three of the headhunters were killed and two of the constabulary lost their lives in the engagement.

## INDAINS AND WHISKEY

Associated Press Cable to the Star.

BROWNING, Montana, October 12.—Flathead Indians inflamed with whiskey, murdered seven white persons in their beds.

## Fear England Will Be Involved In War

Associated Press Cable to the Star.

LONDON, October 12.—There is the utmost disquiet is felt here in diplomatic circles over the Eastern situation. The ministry and other government leaders are fearful that the recent alliance with Japan may involve the British Empire in the approaching struggle between Japan and Russia.

The Japanese minister here admits the possibility of hostilities within a short time, unless Russia accedes to Japan's demands regarding the evacuation of Manchuria. He deprecates, however, the rumors that have been circulating regarding an alleged ultimatum from Japan to Russia. No such notice is admitted in Japanese diplomatic circles, to have passed between Japan and Russia. The negotiations between the representatives of the two nations have not, it is asserted, reached such an acute stage that the Japanese have despaired of effecting an amicable agreement with Russia.

## SAYS WAR VERY NEAR

Associated Press Cable to the Star.

WASHINGTON, D. C., October 12.—The Japanese minister admits that his country is preparing for war with Russia. He says, however, that the situation has been exaggerated and that affairs have not yet reached the crisis that the news reports would indicate. The negotiations are progressing between the Japanese and Russian diplomats, regarding the occupation of Manchuria. There have been, he adds, no developments of a favorable character. Thus far, the Russians continue to pursue a policy of procrastination whenever the evacuation of Manchuria is suggested.

It is believed here in diplomatic circles that the negotiations will soon result in Russia being forced into a positive declaration of her intention to permanently hold and occupy Manchuria. Such an admission on the part of Russia will, it is thought, be followed immediately by a declaration of hostilities by Japan.

## CRISIS IN EASTERN SITUATION

Associated Press Cable to the Star.

BERLIN, October 12.—A crisis has been reached in the Eastern situation. The Japanese and Russian legations are uninformed however regarding the latest developments in the negotiations between their governments.

### WHILE WAITING FOR CAR.

While waiting for car at Lyons corner, drop in and have a glass of Whitmar's Ice Cream Soda.

### HEALANI MASQUE BALL.

Large assortment MASQUES just opened. Call early for good choice. See our Window (Ewa) display. Wall Nichols, Co.



Did it ever occur to you that a period of business depression makes insurance doubly valuable.

Insurance Department Hawaiian Trust Co., Ltd.

Fire, Life, Accident, Plate Glass Insurance, Surety Bonds.

923 Fort St. Tel. Main 184

### A STORY IN FIGURES.

The following figures are taken from one of the certificates of the Phoenix Savings Building and Loan Association.

Year.	Total Payments.	Cancellation Value.
First .....	\$ 80	\$ 55
Second .....	160	130
Third .....	240	215
Fourth .....	320	305
Fifth .....	400	400

—San Francisco Examiner.

The following figures are taken from the Semi-Annual Statement of the Pioneer Building and Loan Association:

Year.	Total Payments.	Cancellation Value.
First .....	\$ 80	\$ 82 80
Second .....	160	172 73
Third .....	240	269 86
Fourth .....	320	374 66
Fifth .....	400	489 93

Also a complete line of Spratt's Dog Remedies and Kennel sundries at Pearson & Potter Co., Ltd., Union & Hotel Sts.

### Yes, Another

Shipment of fresh dog cakes and puppy food has just been received.

Also a complete line of Spratt's Dog Remedies and Kennel sundries at Pearson & Potter Co., Ltd., Union & Hotel Sts.

## INTEREST ON BONDS

SECRETARY CARTER CABLES THAT IT HAS BEEN FIXED AT FOUR AND A HALF PER CENT—BIDS RECEIVABLE NOVEMBER 18—WILL RETURN TO HONOLULU ON THE SIBERIA.

The following cable from Carter, dated at New York this morning, was received by Treasurer Kepoikai:

"Rate four-half, bids received Honolulu New York November 18th, delivery 24th, will catch Siberia, bringing bonds execution."

This means that the rate of interest on the bonds has been fixed by Carter at four and a half per cent, instead of five per cent. From this it is supposed that the Secretary has found that there is no doubt about a market being found for the bonds; and that he will bring the bonds with him to be executed here.

Returning on the Siberia, Carter should arrive on October 29, or five days before election.

## KOHALA DITCH

The Executive Council definitely fixed the terms of the Kohala ditch license this morning and decided to advertise it at public auction. The date fixed for the sale is November 28. This allows over six weeks time for competitors.

The specifications for the bidders are substantially according to the terms already published, and discussed with the parties who are after the franchise.

The proposed license is for fifty years. The rent to be paid to the government for the first four years is \$1,000 per year. After that 5 per cent of the gross receipts are to be paid additional up to twenty years, when the rate is to be adjusted by arbitration. There is to be another similar adjustment in the 35th year.

The company is to begin actual construction of the system, spending not less than \$100,000, within 18 months from the issuance of the license and is to spend not less than \$400,000 on the work within five years. Water is to be supplied at reasonable rates, to all customers in the districts covered by the franchise and only surface water is to be made use of, no tunnelling or digging for underground water being allowed. Violation of any of the terms is cause for forfeiture of the license.

## KAMUELA JURY CONTINUES TRIAL

THE ROW OVER COLOR LINE SUGGESTIONS ENDS VERY QUIETLY.

The jurors in the Kamuela case, before Judge Gear, had got over being "sore" by the time court was called this morning, and the trial proceeded after a report by Andrews as to the possibility of taking legal steps on account of the publication which the jury complained of. Quite a crowd had gathered in court expecting to hear some more discussion, but they were disappointed. None of the jury had anything to say and the attorneys on both sides expressed themselves as satisfied that the jurors would give an impartial verdict.

When the case was called Judge Gear asked Attorney General Andrews for his report. Andrews said that in view of the request of the court and the evident strong feeling among the jury he had gone into the matter very carefully. "My first impression was that there was nothing in the article on which charges could be based," he said, "but I wanted to be sure as the jurors seemed to feel very aggrieved and there should certainly be some way to protect them when, as I believe, they are trying to be fair in all cases."

"I find, however, that there is absolutely nothing in the article which, under the authorities, I can bring before the grand jury. The general idea seems to be that where there is mere criticism of a jury without anything tending to bias them, there can be no charges. Nothing in this article that I can see affects them at all."

Andrews said that the only criticism to be found in the article, if there was any at all, was of the defendant's attorney. "The jurors are bound by their oaths to try the case on the evidence presented to them," he said, "and they should not be affected by newspaper articles. In fact in many jurisdictions it is the rule for judges to instruct jurors not to read anything in the papers about the case they are hearing."

"The article itself is not true, therefore it is impossible that there should be any hidden meaning. It mentions the race line and the color line, but there is nothing in it derogatory to the natives. Suppose the paper had said that there was a red-headed jury and some one should object? There would not be anything that could be taken up under the law."

Andrews quoted several eastern cases in which newspapers had passed severe criticisms and aspersions in juries and courts, while a trial was in progress, and in which the supreme courts had held that there was nothing actionable. Judge Gear enquired what was to be done with the case. Andrews said the Attorney General's Department was ready to proceed with the trial. Attorney Long for the defense said that he was satisfied also, and the taking of evidence was resumed.

## ERUPTION SEEMS TO BE INCREASING

WIRELESS MESSAGE FROM CAPT. MOSHER STATES THAT KILAUEA IS SMOKING NOW.

Evidently the eruption of Mouna Loa is the greatest that has been known in years. Contrary to the usual rule when the mountain breaks out on the upper slopes, the lower crater of Kilauea is smoking. This news was received this morning by the Inter-Island S. S. Company from Captain Mosher of the steamer Iwalani which went up last week with a special excursion party from Honolulu.

The message from Captain Mosher was as follows: "Kona, Oct. 12, 1903. "Great activity Mokuaweewe. Kilauea smoking. Grand display visible from steamer along the coast."

According to schedule, the party was to have reached Honouapua Saturday night and gone ashore yesterday. They were to go to the Volcano House at Kilauea and from that place take horses and make the ascent of Mauna Loa if possible. Later advices received yesterday and Saturday indicate that the lava is flowing down the side of Mauna Loa. Within the course of the week if the eruption continues, some body ought to be able to make a definite report on the flow. Captain Mosher of the Iwalani will bring complete details when his vessel returns this week from Punaluu and Honouapua. The steamer Mauna Loa will sail tomorrow at noon for Kona and Kauai. She will take a number of tourists it is thought for a fair number have already booked by her from Honolulu.

### MORE PEAS TO PHILIPPINES

Captain Niblack of the Naval Station will send another consignment of alligator pear seeds to the Philippines. They will be sent by the S. S. Siberia this month. This will be the last shipment of pears for some months, as the season is closing. Captain Niblack has been very enterprising in sending out the pears to the Philippines. He sent a shipment by the transport Sherman last Friday.

### ISLEWORTH MAY SAIL FRIDAY.

The British S. S. Isleworth may sail Friday for Ocean Island. She has her new propeller in place and is now discharging the remainder of her cargo of guano. J. T. Arundel, the manager of the guano company, is expected to arrive on the Ventura Wednesday morning from San Francisco. He will accompany the vessel to Ocean Island.

Twenty-five cents pays for a Want ad in the Star. A bargain.

## FIRST PROCEEDING UNDER TORRENS ACT

MRS. IDA B. CASTLE, WIFE OF W. R. CASTLE, FILES THE FIRST PETITION IN THE LAND REGISTRATION COURT ASKING CONFIRMATION OF TITLE TO THE FAMILY HOMESTEAD.

The first application to Judge Weaver of the new land court for a title under the Torrens act is that of Mrs. Ida B. Castle, whose petition is now on file with Registrar Savidge. It has been referred to E. A. Mott-Smith as examiner of titles and on his report being made it will be advertised and a day set for hearing, after which, if the proper proof is made, a clear title, which cannot be attacked, will be issued by the judge, shutting out all other claims. The first petition is in form as follows:

"To the Honorable Philip L. Weaver, Judge of the Court of Land Registration:

"I the undersigned, hereby apply to have the land hereinafter described brought under the operation and provisions of Chapter 56 of the Session Laws of 1903, and to have my title therein registered and confirmed. And I declare:

"That I, the below mentioned Ida B. Castle, am the owner in fee-simple of a certain parcel of land with the buildings thereon, situate in Honolulu, Island of Oahu in the County of Oahu and the Territory of Hawaii and particularly described as follows:

Here follows a description of the property, showing it to be 152,000 square feet, at Lunailo and Victoria streets, assessed at \$50,000. Containing the petition sets forth as follows:

"That I obtained title by deed from Mary Clench dated October 27, 1900 and recorded in the Office of the Registrar of Conveyances of Honolulu Book 217, page 84.

"That said land is now occupied by myself and family as a homestead, post office address box 154, Honolulu.

"That the names in full and addresses so far as known to me of the occupants of all lands adjoining said land as follows: Sarah McKeague, Honolulu, John Farmsworth, Honolulu, S. N. Castle estate limited and the Hawaiian government as owner of Lunailo, Victoria and Kinaiu streets.

"That I was married to William R. Castle by Dr. Bartlett at Pittsfield, Mass., in 1875, but have always since then resided in Honolulu.

"That my full name, residence and post office address are as follows: Ida Beatrice Castle, 1301 Kinaiu street, P. O. Box 154, Honolulu, Hawaii.

"IDA B. CASTLE."

## Contempt Is Now An Infamous Crime

JUDGE GEAR'S WA SIN DECISION HAS AN EXTRAORDINARY EFFECT—THE COURT HELD TO BE POWERLESS UNDER THE STATUTES OF HAWAII TO SUMMARILY PUNISH THOSE IN CONTEMPT.

The Kamuela jury complaints and the question of contempt growing out of it has served to draw attention to an extraordinary predicament in which the circuit court stands since Judge Gear gave his decision in the Wa Sin case. It appears that under that decision contempt of court is an infamous crime and if this is the case, the lawyers say, the court cannot move under the decision without the aid of a grand jury. The court has thus lost its natural power to summarily punish for contempt and can't enforce order in its own presence.

Section 576 of the penal code of Hawaii says that when any fine imposed by a court is not paid, the person failing to pay it shall be confined, at hard labor or otherwise, in Oahu jail. Judge Gear's Wa Sin decision was to the effect that any offense for which there might be imprisonment, with or without hard labor, in Oahu jail was an infamous crime; also that no such crime could be charged without a grand jury indictment. The punishment provided in the statute for contempt is fine or imprisonment, hence it is held that contempt clearly falls within the judge's definition of an infamous crime.

"A person might go into the court and insult the judge all he

(Continued on page five.)

### NO OPIUM IN CHAMBERLAIN'S COUGH REMEDY.

Many cough cures contain opium. The effect of this drug is to diminish secretion of the mucus, and the relief afforded is only temporary. As soon as the effect of the opium passes off, the malady returns in a more severe form. The system is also weakened and rendered more susceptible to cold Chamberlain's Cough Remedy does not contain opium in any form. It affords relief and leaves the system in a healthy condition. It always cures and cures quickly. For sale by all dealers. Benson, Smith & Co., general agents.

### AUTUMN MILLINERY OPENING.

N. S. Sachs' Dry Goods Co. invite the Ladies of Honolulu to attend their grand autumn opening of millinery goods on Monday, Tuesday and Wednesday, October 12, 13 and 14.

### SURE OF ELECTION.

For each one of the new county officers at least one man is sure of election. Then comes the question of bonds. Since the law makes the county pay the premium on surety company bonds furnished by officials, personal estates will not have to be put up to guarantee the acts of an officer and all his deputies. One of the best surety companies is represented by Henry Waterhouse Trust Co.

### THE OLD RELIABLE